234.

SUPREME COURT OF THE UNITED STATES.

No. 193.

THE UNITED STATES, APPELLANTS,

v.

RAYMUNDO CARRILLO.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

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Transcript of the Proceedings in Case No. 492. Raymundo Carrillo, Claimant, *v.* The United States, Defendant. For the place named "Nojoque."

Office of the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California.

Be it remembered, that on this thirteenth day of December, Anno Domini one thousand eight hundred and fifty-two, before the Commissioners to ascertain and settle the private land claims in the State of California, sitting as a Board, in the City of San Francisco, in the State aforesaid, in the United States of America, the following proceedings were had, to wit:

The Petition of Raimundo Carrillo, for the place named "Nojoque," was presented and ordered to be filed, and docketed with No. 492, and is as follows, to wit:

(Vide page 3 of this transcript.)

Upon which petition the following subsequent proceedings were had in their chronological order, to wit:

San Francisco, January 5th, 1853.

In case No. 492. Raimundo Carrillo, for the place named "Nojoque," the deposition of Antonio Maria de la Guerra, a witness in behalf of the Claimant, taken before Commissioner Harry J. Thornton, was given.

(Vide page 4 of this transcript.)

San Francisco, Jan 6th, 1853.

In the same case, the deposition of Andres Pico, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, with document marked "A" annexed thereto was filed.

(Vide page 5 of this transcript.)

San Francisco, August 26th, 1853.

Case No. 492. Raimundo Carrillo for the place named "Nojoque," called. The counsel for the claimant read the evidence, argued, submitted, and taken under advisement.

San Francisco, October 12th, 1853.

In Case No. 492. Raymundo Carrillo, for the place named "Nojoque," Commissioner Thompson Campbell delivered the opinion of the Board, confirming the claim, and the decree of final confirmation.

(Vide page 27 of this transcript.)

Petition.

To the Honorable the Commissioners to settle private land claims in California.

The petition of Raymundo Carrillo respectfully shows that on the 27th day of April, A. D. 1843, Manuel Micheltorena, Governor of California, by virtue of authority in him vested, granted to the petitioner the tract of land called "*Nojoque*," in the present County of Santa Barbara, containing three square leagues, more or less, with the boundaries described in the said grant and accompanying map. That the said grant was duly approved on the 29th day of August, A. D. 1845, as shown by the new title or patent issued by Governor Pio Pico, on the 1st day of September, A. D. 1845. That on the 2d day of November, A. D. 1845, the said tract of land was duly surveyed, and the juridical possession given to the petitioner, in due form of law. All of which is shown by the original documents submitted herewith, marked "A," with translation marked "B."

And the petitioner further represents that he has been for some ten years, and now is, in the quiet and peaceable possession of the said tract of land.

That he knows of no conflicting claim. That he relies for confirmation of title upon the original papers submitted herewith, upon the notes and records in the archives of the former government, now in charge of the United States Surveyor-General, and upon such other and further proofs as he may be advised are necessary. Wherefore he prays the Commissioners to confirm to him the aforesaid tract of land.

By his Attorneys,
HALLECK, PEACHY & BILLINGS.

Filed in office, Dec. 13th, 1852.

GEO. FISHER,
Secretary.

Deposition of Ant. Ma. de la Guerra.

San Francisco, January 5th, 1852.

On this day, before Commissioner Harry J. Thornton, came Antonio Maria de la Guerra, a witness in behalf of the claimant, Raimundo Carrillo, petition No. 492, and was duly sworn, his evidence being interpreted by the Secretary.

The United States Associate Law Agent was present.

My name is Antonio Maria de la Guerra; my age is twenty-seven years; I was born in Santa Barbara, and reside there now.

I know the rancho called "Nojoque;" it is in the County of Santa Barbara. Raymundo Carrillo occupied this ranch in August,

1844. He had cattle and horses on it; also a house, and has occupied it ever since.

ANT. MA. DE LA GUERRA.

I acknowledge due notice.

R. GREENHOW,
Associate Law Agent.

Sworn to and subscribed before me, this 5th day of January, 1853.

HARRY J. THORNTON,
Commissioner.

Filed in office, January 5th, 1853.

GEO. FISHER,
Secretary.

Deposition of Andres Pico.

San Francisco, Jan. 6th, 1853.

On this day, before Comr. Harry J. Thornton, came Andres Pico, a witness on behalf of the claimant, Raimundo Carrillo, Petition No. 492, and was duly sworn, his evidence being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

My name is Andres Pico; my age is 42 years; I was born in California, and live in Los Angeles; I am acquainted with the signatures of Manuel Micheltorena, Francisco Are, Jose Maria Covarrubias, Manuel Jimeno, Pio Pico, Raymundo Carrillo, J. R. Malo, Nicolas A. Derr, Militon Anila, Jose Manuel Ortega. Their signatures to the paper, filed as Exhibit A, with the petition in claim No. 492, are their genuine signatures.

The Exhibit is attached to this deposition, by which the same is proved.

U. S. Law Agent present.

ANDRES PICO.

Sworn to and subscribed before me, this 6th of January, 1853.

HARRY J. THORNTON,
Commissioner.

Filed in office, January 6th, 1853.

GEO. FISHER,
Secretary.

A.

Title and Juridical Possession annexed to the Depo. of Andres Pico.

Manuel Micheltorena, Gobernador y Comandante General e Ynspector del Departamento de Ambas Californias.

[DE GOBIERNO DEL DEPARTAMTO. DE CALIFORNIAS.]

Por cuanto Dn. Raymundo Carrillo ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Najequi Colindante por el N. con la Mision de Sta. Ynes, por el S. con la sierra, al P.

con Dn. Miguel Cordero y al O. con el Arroyo del Guejote: practicadas previamente las diligencias y averiguaciones consernientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas a nombre de la Nacion Mejicana he benido
[1] en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Exma. Junta Departamental y bajo las condiciones siguientes.

1a. No perjudicara ni desposara en manera alguna los bienes del la Mision de Sta. Ynes que alli actualmente se encuentran y lo que naturalmente bayan progueando reservandole el derecho a la referida Mision de mantener en el terreno los espresados bienes, comopromete el interesado en su escrito cabera de este espediente y mientras
[2] dure reunida la sociedad del establecimiento.

2a. Podra cercarlo sin perjudicar las travesias, caminos y servidumbres, lo disfrutara libre y esclusivamente destinandolo al uso o cultivo qe. mas le acomode pero dentro de un ano fabricara casa y estara habitada.

3a. Solicitara del Juez respectivo que le de la posecion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites, pondra a mas de las mojoneras, algunos arboles frutales o silvestres de alguna utilidad.

[3] 4a. El terreno de que se hace donacion es de tres sitios de ganado mayor, poco mas o menos segun esplica el diseno respectivo. El Juez que diere la posecion lo hara medir conforme a ordenanza, quedando el sobrante que resulte a la nacion para los usos convenientes.

5a. Si contraviniere a estas condiciones perdera su derecho al terreno y sera denunciable por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y valedero se tome razon de el en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en la Ciudad de los Angs. a veintisiete de
[4] Abril de mil ochocientos cuarenta y tres.

MANL. MICHELTA.
FRANCO. ARCE,
Srio Ynto.

Queda tomada razon de este despacho en el libro respectivo a fs. 2.
FRANCO. ARCE.

El E. S. Gobernador ha dispuesto se tome razon de esta consecion en la prefectura de este segundo distrito.
FRANCO. ARCE.

En virtud de lo que dispone el Exmo. Sor Gobernador del Departamento, y de hallarse suprimida la prefectura del distrito, queda

tomada razon de este superior despacho por el Juzgado 1o. de este puerto, a fojas 8 vta. del libro respectivo.

JOSE MA. COVARRUBIAS.

Sta. Barbara, Marzo 1o, de 1844.

(For map, see original, page 8.)

Sello Cuarto. Dos Reales.

[5] Habilitado provisionalmente por la Aduana maritima del puerto de Monterrey, en el Departamento de las Californias para los anos de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

MICHELTORENA,
PABLO DE LA GUERRA.

El que suscribe Secretario del Gobno. del Departamento de California certifica: que el diseno que se demuestra a la vuelta de la hofa sigte, es igual al original que ecsiste agregado al espediente de Don Raymundo Carillo perteneciente al terreno nombrado Najoque.

[Ada. Maritima de Monterrey.]

Monterrey, Dbre veinte y ocho de mil ochocientos cuarenta y cuatro.

MANUEL JIMENO.

Pio Pico, Gobernador Ynterino del Departamento de las Californias.

[6] Por cuanto Dn. Raymundo Carrillo ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Najoque, colindante por el N. con la Mision de Sta. Ynes, por el sur con la Sierra, al P. con D. Miguel Cordero y al Este con el Arroyo del Guijote practicadas previamente las diligencias y averiguaciones segun lo dispuesto por leyes y reglamentos de la materia, usando de las facultades que me son conferidas a nombre de la nacion Mejicana, y de entera conformidad con la aprovacion de la [7] Exma Asamblea Departamental que recayo en sesion del dia 29 de Agosto proccimo pasado, he venido en concederle la propiedad del terreno mencionado declarandose la por las presentes letras y bajo las condiciones siguientes.

1a. Podra cercarlo sin perjudicar las trabesias, caminos y servidumbres, lo disfrutara libre y esclusivamente destinandolo al uso o cultivo que mas le acomode, pero dentro de un ano fabricara [8] casa y estara habitada.

2a. Solicitara del Juez respectivo que le de la posecion juridica en virtud de este despacho, por el cual se demarcaran los linderos en

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cuyos limites pondra a mas de las mojoneras algunos arboles frutales o silvestres de alguna utilidad.

3a. El terreno de que se hace donacion es de tres sitios de ganado mayor poco mas o menos segun esplica el dise no respectivo.

En consecuencia mando que sirviendole de titulo el presente y
[9] teniendose por firme y valedero se tome razon de el en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines dado en la Ciudad de Los Angeles a primero de Septiembre de mil ochocientos cuarenta y cinco.

PIO PICO.
JOSE MA. COVARRUBIAS,
Srio.

Queda tomada razon de este titulo en el libro respectivo. Angeles fecha ut supra.

COVARRUBIAS.

Ano de 1845.

Posesion judicial en favor de D. Raymdo. Carrillo, del paraje conocido con el nombre de Najoqui.

Sr. Alcalde 1o. de Sta. Barba.

[10]

Raymdo. Carrillo vecino de este punto ante la justificacion de V. comparesco y digo que habiendo obtenido la consecion en propiedad del terreno conocido con el nombre de Najoqui: por justo titulo espedido a mi favor con fha 1o. de Sepl. del presente ano por el Exmo. Sr. Gobor. del Deparmto. y de entera conformidad con la aprobacion de la Exma. Asamblea Departaml. A. V. suplico se sirba darme la posecion juridica de estilo con arreglo a dho titulo y diseno certificado cuyos documentos devidamente, acompano, sirbi-
[11] endose admitir esta instancia en papel comun por no haber del Sellado que corresponde. Juro no proseder de malicia, &c.

RAYMDO. CARRILLO.

Sta. Barba. Oct. 27, de 1845.

Sta. Barba. Oct. 30, de 1845.

En virtud de la antecedente solicitud prosedase por mi el presente Juez a la medicion senalamiento de linderos y posecion judicial del terreno de Najoqui q. solisita el interesado en este espediente con arreglo a los documentos q. acompana; senalnudo para ejecutarlo el dia dos del procmo. Nobre para lo q. se sitaran con voleto de com-
[12] parendo a los colindantes asi yo el Alcalde 1o. Constituel. del Partido de Sta. Barba. lomande decrete y firme actuando por recepto-

ria con testigos de asista. por falta de escribano nacional q. publico de que doy fe.

NICOLAS A. DEN.

Asista.
J. R. MALO.
Asista.
MIGL. CORDERO.

En la fha presente D. Raymdo. Carrillo, se le notifico el auto qe. antesede, y de el entendido dijo qe. lo holle y se da por citado, y lo firmo conmigo y los de mi asista. doy fee.

NICOLAS A. DEN.

Asista.
J. R. MALO.
Asista.
MIGL. CORDERO.

[13] En la misma fha se libaron los voletos qc. se mandan en el primer probeido y para qe. conste por diligencia lo rubrique.

En el Rancho de Najoque a los dos dias del mes de Nbre de mil ocho cientos cuarenta y cinco en cumplimto. de la cita librada a los colindantes del espresado Rancho concurrio D. Joaqn. Carrillo, D. Migl. Cordero, como encargado de la Mision de Sta. Ynes, D. Ramon Malo por D. Franco. Cota y Juan de Mata Pico, por D. Agustin Yanse, y entendidos de qe. se hiba a proceder a la medicion senalamiento de linderos y posesion a favor de D. Raymdo. [14] Carrillo digeron quedar entendidos y para consta. lo firmaron conmigo y los de mi asista. de qe. doy fe.

Por D. FRANCO. COTA.
J. R. MALO.
NICOLAS A. DEN.

Asista.
MIGL. CORDERO.
Asista.
J. R. MALO.
PR. D. AGUSTIN YANSENS.
JUAN DE MATA PICO.

Como colindante y encargado de Sta. Barba.

MIGUEL CORDERO.

En seguida yo el Juez de estos aulos nombre por medidores en la presente posecion a los Ciudadanos Jose Maria Artega, y Meliton Abila quienes prebia la aseptacion y juramento, prosederan al [15] desempeno de su encargo, y para consta. lo pongo por diligencia qs. firmo con los de mi asista. de qe. doy fe.

NICOLAS A. DEN.

Asista.
J. R. MALO.
Asista.
MIGL. CORDERO.

En la fha y en el espresado Rancho se les notifico el auto qe. antecede al Ciudno. Jose Manl. Ortega y Meliton Abila, y entendidos de el dijeron qe. aseptan y aseptaban dho encargo de medidores y juramento pr. *Dios Ntro Sre.* y una senal de la cruz de usarlo fiel y legalmente a todo su leal saber y entender sin dolo ni fraude contra persona alguna y lo firmaron con migo y los de mi asista. de qe. doy fe.

NICOLAS A. DEN.

Asista.

[16] J. R. MALO.

Asista.

MIGL. CORDERO.

MELITON AVILA.

JOSE MANUEL ORTEGA.

Yncontinenti yo el referido Alcalde mande traer a mi presencia un cordel de reata y mecate con que se an de medir las tierras de dho Rancho y qe. los medidores lo midan de a cincuenta varas lo qe. firmo con los de mi asista. de qe. doy fe.

NICHOLAS A. DEN.

Asissa.

J. R. MALO.

MIGL. CORDERO.

En seguida y en presencia de mi el espresado Alcalde los medidores mencionados tomaron un cordel compuesto de mecate y
[17] reata y con una vara de medir usual Mejicana, midieron cincuenta varas par hacer la referida medicion y para qe. conste lo rubrique.

En la misma fha y en el referido Rancho siendo como las onze del dia yo el espresado Alcalde para proseder a la medicion de tierra qe. se ha de hacer a D. Rāymdo. Carrillo, man de a los medidores nombrados se pongan en la mitad del agua de Rio el cual lirbe de lindero a D. Joaqn. Carrillo Mision de Santa Ynes Rancho del Colejio,
[18] y el espresado D. Raymdo. y puesto en dho lugar se comenso la medida tendiendo el cordel rumbo al sur y se midieron siento siete cordeles de a sincuenta varas hasta llegar a la cuesta de D. Migl. Cordero cuyo alto de esta cuchilla al poniente sirbe de lindero al espresado Cordero, y D. Franco. Cota con D. Raymdo. Carrillo, y al sur la sierra grande; el dia siguiente se prosiguio la medida tendiendo el cordel desde la Cuchilla espresada de Najoque
[19] hasta la desembocadura al Rio del Arrollo del Guijote rumbo al este el que sirbe de lindero a D. Agustin Yanse, y se midieron trecientos seis cordeles de sincuenta varas por lo qe. declaran dhos medidores tener dho Rancho de Najoqui; tres leguas y trecientas varas de largo y una legua y trecientos y sincuenta varas de ancho, acompanando a este espediente el diseno certificado qe. figura

el terreno medido, siendo de advertir qe es. muy desiqual en su latitud. Y para constancia lo firme por auto con los testigos de mi asista. de qe. doy fe.

NICOLAS A. DEN.

Asista.
J. R. MALO.
Asista.
MIGL. CORDERO.

[20] En el espresado Rancho de Najoqui y en el mismo dia mes y ano D. Raymdo. Carrillo vesino del Puerto de Sta. Barba. acompaado del Alcalde y testigos de asista. de estos autos dijo: qe. habiendose medido las tierras de este Rancho segun consta en el auto anterior, tomaba y toma la berdadera y corporal posecion de dhas tierras medidas pues le pertenecen por justo titulo qe. obtiene de la concecion qe. de ellas le hizo el Superior Gobno. del Departamto, de
[21] entera conformidad con la aprobacion de la Exma. Asamblea Departamental qe. recallo en veinte nueba de Agta. del presente ano, entro y paseo por ellas arranco llerbas esparcio punados de tierra rompio ramas de los arboles e hizo otras demostraciones y actos de posecion en senal de la qe. dijo tomaba de dhas tierras, y yo dho Alcalde mande qe. desde entonces lo tubieran y reconocieran por berdadero dueno y posedor de ellas.

De todo lo espresado pidio dho. D. Raymdo. Carrillo qe. para memoria en lo benidero y conserbacion de sus derechos le fuese
[22] estendido por mi el referido Alcalde una cuntuncia y lo firmo con migo y los de mi asistencia de qe. doy fe.

NICOLAS A. DEN.
RAYMDO. CARRILLO.

Asista.
J. R. MALO.
Asista.
MIGL. CORDERO.

En la fha se saco copia de estas diligencias, y quedo archivado en el jusgado de mi cargo y pa. la debida constancia, lo firme con los de mi asista. segun derecho doy fe.

NICOLAS A. DEN.

En la propia fha se le debuelben originales al interesado estas diligencias en cuatro fojas utiles abiendo pagado los derechos correspondientes y para constancia lo rubrique.

NICOLAS A. DEN.

Filed in office, Dec. 13th. 1852.
[23] (Signed) GEO. FISHER,
Secretary.

B.

Translation of 1st *and* 2d *Titles, and Juridical Possession.*

Manuel Micheltorena, Governor, Commanding-General, and Inspector of the Department of both Californias.

[SEAL OF THE DEPARTML. GOVERNMENT.]

Whereas Don Raymundo Carrillo has, for his own personal benefit, and that of his family, asked for the place known by the name of "*Nojoque*," bounded on the north by the Mission of Santa Ynez, on the south by the Sierra, west by Don Miguel Cordero, and east by the arroyo of Guefote, the proper measures and examinations being previously made, as required by laws and regulations, using the powers conferred on me, in the name of the Mexican Nation, I have granted him the aforesaid land, declaring to him the ownership of it, by these presents, subject to the approval of the Most Excellent Departmental Junta, and under the following conditions.

1st. He shall not take away or prejudice the cattle of the Mission of Santa Ynez, which may at this time be found there, and their natural increase, the right being reserved to said Mission of maintaining the aforesaid property on the land, as the person interested promises in his petition, at the head of this espediente, and while the society of the establishment may remain united.

2d. He may enclose, without prejudice to the crossings, roads, and servitudes, he will enjoy it freely and exclusively, making such use or cultivation of it as may best suit him, but within one year he shall build a house, and it shall be inhabited.

3d. He will request the proper magistrate to give him the juridical possession, in virtue of this patent, by whom the boundaries will be marked out, in the limits of which he will place, besides the bounds, some fruit or forest trees of a useful character.

4th. The land of which donation is made, is of the extent of three square leagues, a little more or less, as shown by the respective map. The magistrate who may give the possession will cause it to be measured in conformity with the ordinance, leaving to the nation, for its convenient uses, the surplus which may result.

5th. If he contravene these conditions he will lose his right to the land, and it will be denouncable by another person.

In consequence, I order that this present, serving him for a title, and being held as firm and valid, note be made of it in the proper book, and it be delivered to the person interested, for his security and other purposes.

Given in the City of Los Angeles, on the twenty-seventh of April, one thousand eight hundred and forty-three.

(Signed) MANUEL MICHELTORENA.

(Signed) FRANCISCO ARCE,
Secretary ad interim.

Note has been made of this patent in the respective book, on leaf 2.

(Signed) FRANCISCO ARCE.

His Excellency the Governor has directed that note be made of this grant in the Prefecture of this Second District.

(Signed) FRANCISCO ARCE.

In virtue of the direction of his Excellency the Governor of the Department, and of the Prefecture of the District being suppressed, note has been taken by the first court of this part of this superior patent, on folio 8, over, of the proper book.

(Signed) JOSE MA. COVARRABIAS.

Santa Barbara, March 1st, 1844.

Pio Pico, Governor ad interim of the Department of the Californias.

Whereas, Don Raymundo Carrillo has, for his own personal benefit and that of his family, asked for the place known by the name of "*Nojoque*," bounded on the north by the Mission of Santa Ynez, south by the Sierra, west by Don Miguel Cordero, and east by the Arroyo del Guezote, the proper measures and examinations being previously made, as required by laws and regulations, on the matters, using the powers which are conferred on me, in the name of the Mexican nation, and in entire conformity with the approval of the Most Excellent Departmental Assembly, which was given in session of the 29th day of August last, I have granted him the ownership of the aforesaid land, declaring it to him by these present letters, and under the following conditions:

1st. He may enclose it without prejudice to the crossings, roads, and servitudes. He will enjoy it freely and exclusively, making of it such use or cultivation as may best suit him, but within one year he shall build a house, and it shall be inhabited.

2d. He will request the proper magistrate to give him the juridical possession in virtue of this patent, by whom the boundaries will be marked out, in the limits of which he will place, besides the bounds, some fruit or forest trees of a useful character.

3. The land of which donation is made, is three square leagues, a little more or less, as shown by the respective map. In consequence, I order that this present, serving him for a title, and being held as firm and valid, note be made of it in the proper book, and it be delivered to the person interested for his security and other purposes.

Given in the city of Los Angeles on the 1st day of September, one thousand eight hundred and forty-five.

(Signed) PIO PICO.

(Signed) JOSE MA. COVARRABIAS.
Secretary.

Note has been made of this title in the proper book, Angeles, dated as above.

(Signed) COVARRABIAS.

To the First Alcalde of Santa Barbara.

I, Raymundo Carrillo, resident of this place, before your justification, appear and say, that having obtained the grant in fee of the land known by the name of Nojoque, by a first title issued in my favor, dated September 1st, of the present year, by his Excellency the Governor of the Department, and in entire conformity with the approval of the Most Excellent Departmental Assembly, I pray you to be pleased to give me the usual juridical possession, in conformity with said title and certified copy of map, which documents I duly transmit, having the goodness to admit this petition on common paper for want of that of the corresponding stamp, I swear that I do not act from malice, &c.

(Signed) RAYMUNDO CARRILLO.

Santa Barbara, October 29th, 1845.

Santa Barbara, Oct. 30th, 1845.

In virtue of the preceding petition, I, the present magistrate, will proceed to the measurement, designation of boundaries, and juridical possession of the land of Nojoque, which the person interested in this Espediente asked for, in conformity with the documents which he transmitted, designating for their execution the 2d day of November next, for which the colindantes will be summoned in writing. Thus I, the First Constitutional Alcalde of the Partido of Santa Barbara, ordered, decreed, and signed, acting in virtue of my office, with assisting witnesses, for want of a national and public notary, to which I certify.

(Signed) NICOLAS A. DEN.

Assisting witnesses.

(Signed) J. R. MALO.

(Signed) MIGL. CORDERO.

On the same day, present Don Raymundo Carrillo, the foregoing decree was made known to him; and having understood it, he said he heard and considered himself summoned, and he signed it with me, and those of my assistance, I certify.

(Signed) NICOLAS A. DEN.

Assisting witnesses.

(Signed) J. R. MALO.

(Signed) MIGL. CORDERO.

On the same date, the within summons ordered in the 1st decree, were issued, and in official testimony, I sign it in rubric.

(Rubric of N. A. DEN.)

In the Rancho of Nojoque, on the second day of November, eighteen hundred and forty-five, in compliance with the summons issued to the colindantes of the aforesaid rancho, there met together Don Joaquin Carrillo, Don Miguel Cordero, as in charge of the Mission of Santa Ynez, Don Ramon Malo for Don Francisco Cota, and Juan de Malo Pico for Don Agustin Yansens; and having understood that we were about to proceed to the measurement, designation of boundaries, and possession, in favor of Don Raimundo Carrillo, they said they understood it, and in testimony thus signed with me, and those of my assistance, I certify.

SENOR DON FRANCISCO COTA.
(Signed) J. R. MALO,
For DON AGUSTIN YANSENS.
(Signed) JUAN DE MALO PICO.
(Signed) NICOLAS A. DEN,
As Colindante, and in charge of the Mission of Santa Ynez.
(Signed) MIGUEL CORDERO.

Assisting witnesses,
(Signed) MIGUEL CORDERO.
(Signed) J. R. MALO.

In continuation, I, the magistrate of these decrees, appointed for measurers in the present possession, Citizens Jose Manuel Ortega and Militon Avila, who, after the acceptance and oath, will proceed to discharge the appointment, and in testimony I record it officially, which I sign, with those of my assistance, to which I certify.

(Signed) NICOLAS A. DEN.

Assisting witnesses.
(Signed) J. R. MALO.
(Signed) MIGUEL CORDERO.

On the same date, and in the aforesaid rancho, the foregoing decree was made known to Citizens Jose Manuel Ortega and Militon Avila, and having understood it, that said that they accept, and they accepted said office of measurers, and they made oath by God our Lord, and a sign of the cross, to use it faithfully and legally to the best of their knowledge and understanding, without deceit or fraud against any person; and they signed it with me and those of my assistance, to which I certify.

(Signed) NICOLAS A. DEN.

Assisting witnesses.
(Signed) J. R. MALO.
(Signed) MILITON AVILA.
(Signed) MIGL. CORDERO.

(Signed) JOSE MANUEL ORTEGA.

In continuation I, the said Alcalde, ordered to be brought into my presence a rope of strings or hide, with which the lands of said rancho are to be measured, and that said measurers measured off on it fifty varas, which I sign, with those of my assistance, to which I certify.

(Signed) NICOLAS A. DEN.

Assistant witnesses,

(Signed) J. R. MALO,

(Signed) MIGUEL CORDERO.

In continuation and before me, the said Alcalde, the aforementioned measurers took a rope composed of strings and hide, and with a common Mexican vara measure they marked off fifty varas, in order to make the said measurement; and in testimony I signed it in rubric.

(Rubric of N. A. DEN.)

On the same date, and in the aforesaid rancho, being about 11 o'clock in the day, I, the said Alcalde, in order to proceed to the measurement of lands, which is to be made for Don Raymundo Carrillo, I ordered those appointed measurers to place themselves in the middle of the water of the river which serves as a boundary line with Don Joaquin Carrillo, Mission of Santa Ynez, Rancho del Colegio, and the aforesaid Don Raymundo Carrillo, and placed in said point the measurement was commenced, drawing the rope south one hundred and seven cordeles, of fifty varas each, until they arrived at the ridge of Don Miguel Cordero, the height of which ridge on the west serves as a boundary to the aforesaid Cordero and Don Francisco Cota, with Don Raymundo Carrillo, and on the south the Sierra Grande.

On the following day the measurement was continued, drawing the cordel from the said ridge of "Nojoque" to where the arroyo of El Guejote empties into the river in a direction easterly, the which serves as a boundary to Don Agustin Gansens, and they measured three hundred and six cordels, of fifty varas each. Wherefore the said measurers declared the said Rancho of *Nojoque* to contain three leagues and three hundred varas in length, and one league, three hundred and fifty varas in width. The certified map which shows the land measured accompanying this espediente, it being to be noticed that the width is very unequal; and in testimony I signed it officially, with my assisting witnesses, which I certify.

(Signed) NICOLAS A. DEN.

Assisting witnesses.

(Signed) J. R. MALO,

(Signed) MIGL. CORDERO.

In the aforesaid rancho of Nojoque, and on the same day, month, and year, Don Raymundo Carrillo, resident of the Port of Santa

Barbara, accompanied by the Alcalde and assisting witnesses, of these acts, said that the lands of this rancho having been measured, as appears by the foregoing act, he was taking and he takes the true and corporal possession of said lands measured, for they belong to him by just title, which he obtains by the grant of them, which was made to him by the superior government of the department, and in entire conformity with the approval of the Most Excellent Departmental Assembly, which was given on the twenty-ninth of August, of the present year. He entered upon and walked over them, pulled up grass and scattered handsful of earth, broke branches of the trees, and made other demonstrations and acts of possession, in sign of that which he said he was taking of said lands. And I, the aforesaid Alcalde, ordered that from that time forth he should be held and recognized as true owner and possessor of them.

Of all the foregoing, Don Raymundo Carrillo prayed that for a future memorial, and the preservation of his right, a testimony should be issued to him by me, the said Alcalde, and he signed it with me and those of my assistance, to which I certify.

(Signed) NICOLAS A. DEN,
(Signed) RAYMUNDO CARRILLO.

Assisting witnesses.
(Signed) J. R. MALO,
(Signed) MIGUEL CORDERO.

On the same date, a copy was made of this special record, and it remains on file in the Court under my charge, and that it may only appear, I signed it with those of my assistance according to law, I certify.

(Signed) NICOLAS A. DEN.

On the same date, these original official acts were delivered to the party interested on four written leaves, he having paid the corresponding fees, and in testimony I signed it in rubric.

(Signed) NICOLAS A. DEN.

Filed in office, December 13th, 1852.

GEORGE FISHER,
Secretary.

RAYMUNDO CARRILLO
v.
THE UNITED STATES.

Nojoque, 3 square leagues.

Opinion.

On the 27th day of April, A.D. 1843, the claimant obtained a grant from Governor Micheltorena, in which grant it is recited that Raymundo Carrillo asked for the place known by the name of

Nojoque. The record does not contain the petition here referred to. On the 1st day of September, A.D. 1845, Governor Pio Pico issued another grant to the claimant for the same tract of land, and in which it is recited that the Departmental Assembly have, on the 29th day of August of the same year, approved said grant. The signatures of Governors Micheltorena and Pico on both, proved to be in their handwriting. On the 2d day of November, A.D. 1845, the said tract of land was measured by the proper officer, and juridical possession given to the claimant, all of which is satisfactorily established by proof. It is proved by the deposition of Antonio Maria de la Guerra, that the claimant occupied the place *Nojoque* in August, 1844, that he had cattle and horses on it, also a house, and that he had continued to occupy it up to the time of taking that deposition.

The measurement made by the officer, together with the papers and map in the case, making the description of the land granted sufficiently clear, so that it can be identified and located by the proper officer. We are, therefore, of the opinion his claim should be confirmed.

Filed in office, October 12, 1853.

GEORGE FISHER,
Secretary.

Decree.

RAYMUNDO CARRILLO
v.
THE UNITED STATES.

In this case, on hearing the proof and allegations, it is adjudged by the Commission that the claim of the said petitioner is valid, and it is therefore decreed that the same be confirmed. The lands of which confirmation is hereby made, are known by the name of Nojoque, and is the same place on which Raymundo Carrillo now lives, and are bounded and described as follows, to wit: Commencing at the southeast corner of said tract at a point where the Arroyo El Guejote empties into the river, and running thence westwardly by the Sierra Grande on the north side of said Sierra, fifteen thousand three hundred varas, to a point on the peak of the ridge of Don Miguel Carrillo, thence running north along said ridge, five thousand three hundred varas to a point in the middle of the River Rio de Santa Inez, thence running easterly along said river fifteen thousand three hundred varas, thence running south to the place of beginning, five thousand three hundred varas, containing in all three leagues and three hundred varas in length, and one league and three hundred varas in width.

Reference for further description to be had to a map which is

made a part of document marked "A," and filed with the papers in this case.

ALPHEUS FELCH,
THOMPSON CAMPBELL,
R. AUG. THOMPSON,
Commissioners.

Filed in office, October 12th, 1853.

GEO. FISHER,
Secretary.

Office of the Board of Commissioners to ascertain and settle the private land claims in the State of California.

I, George Fisher, Secretary of the Board of Commissioners to ascertain and settle the private land claims in the State of California, do hereby certify the foregoing twenty-eight pages, numbered from 1 to 28, both inclusive, to contain a true, correct, and full transcript of the record of the proceedings, and of the decision of the said Board, wherein Raymundo Carrillo is claimant against the United States for the place known by the name of Nojoque.

In testimony whereof, I hereunto set my hand and affix my private seal (not having a seal of office), at San Francisco, California, this thirtieth day of June A. D. 1854, and of the Independence of the United States of America the seventy-eighth.

[P. S.]

(Signed) GEO. FISHER,
Secretary.

United States District Court, Southern District of California,
Clerk's Office, Los Angeles.

I, Charles E. Carr, Clerk of the District Court of the United States for the Southern District of California, do hereby certify that the foregoing 29 pages, numbered from 1 to 29, both inclusive, contain a full, true, and correct copy of Transcript No. 492, filed in this office, wherein Raymundo Carrillo is appellee and the United States are appellants for "Nojoque."

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Los Angeles, California, this 20th day of December, A. D. 1855, and of the Independence of the United States of America the eightieth.

[L. S.]

C. E. CARR,
Clerk.

United States District Court, Southern District of California,
Clerk's Office, Los Angeles.

THE UNITED STATES, Appellant,
v.
RAYMUNDO CARRILLO, Appellee.
} Docket No. 29. Transcript No. 492.

Be it remembered, that on the 22d day of August, A. D. 1854,

in the District Court of the United States for the Southern District of California, the following proceedings were had, to wit:

A duly certified transcript of the proceedings and decision, and the papers and evidence upon which the said decision was founded, of the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, in the case wherein Raymundo Carrillo is the claimant against the United States for the place named "Nojoque," was received and filed, and docketed with No. 29, and is as follows, to wit:

(Vide page 1.)

Los Angeles, Dec. 5th, 1854.

In Case No. 29, Raymundo Carrillo for "Nojoque," a notice of appeal from the Attorney-General was filed.

(Vide page 3.)

Los Angeles, Dec. 21st, 1854.

In the same Case, the petition of the United States for review was filed.

(Vide page 3.)

Upon which petition the following subsequent proceedings were had in their chronological order, to wit:

Los Angeles, March 26th, 1855.

In same Case, the answer of Raymundo Carrillo was filed.

(Vide page 8.)

Los Angeles, April 12th, 1855.

In same Case, the application for order to take further evidence by appellee was filed.

(Vide page 10.)

Los Angeles, October 3d, 1855.

In same Case, the opinion of the Court was delivered, and a decree entered accordingly.

(Vide page 10.)

Los Angeles, Oct. 18th, 1855.

In same Case, on motion of P. Ord, U. S. Attorney, an order of appeal was filed.

(Vide page 11.)

Order of Appeal.

RAIMUNDO CARILLO
v.
THE UNITED STATES.

Office of the Attorney-General of the United States.
Washington, 26th October, 1854.

You will please take notice, that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 13th day of July, 1854, the appeal in the District Court of the United States for the Southern District of California will be prosecuted by the United States.

C. CUSHING,
Attorney-General.

Filed Dec. 5th, 1854.

C. E. CARR,
Clerk.

Petition for Review.

In the District Court of the United States for the Southern District of California. Los Angeles County.

RAYMUNDO CARILLO
ads.
THE UNITED STATES. } No. 492.

To the Honorable Isaac S. K. Ogier, Judge of the District Court of the United States for the Southern District of California.

The petition of Pacificus Ord (of Monterey County), Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court in his proper person, in the name and behalf of the United States represents as follows:

That heretofore, to wit, on or about the 13th day of December, A. D. 1852, Raymundo Carrillo presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, claiming the tract of land called Nojoque, containing three square leagues, more or less, in the County of Santa Barbara, in the words and figures following, to wit: "The petitioner, Raymundo Carrillo, respectfully shows, that on the 27th day of April, A. D. 1843, Manuel Micheltorena, Governor of California, by virtue of authority in him vested, granted to the petitioner the tract of land called Nojoque, in the present County of Santa Barbara, containing three square leagues, more or less, with the boundaries described in the said grant and accompanying map. That the said grant was

duly approved on the 29th day of August, A. D. 1845, as shown by the new title or patent issued by Governor Pio Pico on the 1st day of September, A. D. 1845. That on the 2d day of November, A. D. 1845, the said tract of land was duly surveyed and the juridical possession given to the petitioner in due form of law, all of which is shown by the original documents submitted herewith marked A, with translations marked B. And the petitioner further represents, that he has been for some ten years, and now is, in the quiet and peaceable possession of the said tract of land. That he knows of no conflicting claim; that he relies for confirmation of title upon the original papers submitted herewith, upon the notes and records in the Archives of the former government now in charge of the U. S. Surveyor-General, and upon such other and further proofs as he may be advised are necessary. Wherefore he prays the Commissioners to confirm to him the aforesaid tract of land."

Your petitioner further represents that thereafter, to wit, on the 12th day of October, A. D. 1853, the said Commissioners confirmed by final decree the said claim of the said Raymundo Carrillo, in the words and figures following, to wit: "Raymundo Carrillo *v.* The United States. In this case, on hearing the proof and allegations, it is adjudged by the Commission, that the claim of the said petitioner is valid, and it is therefore decreed that the same be confirmed. The lands of which confirmation is hereby made, are known by the name of Nojoque, and is the same place on which Raymundo Carrillo now lives, and are bounded and described as follows, to wit: Commencing at the southeast corner of said tract at a point where the Arroyo El Guijote empties into the river, and running thence westwardly by the Sierra Grande on the north side of said Sierra fifteen thousand three hundred varas, to a point on the peak of the ridge of Don Miguel Carillo, thence running north along said ridge five thousand three hundred varas to a point in the middle of the river Rio de Sn. Inez, thence running easterly along said river fifteen thousand three hundred varas, thence running south to the place of beginning five thousand three hundred varas, containing in all three leagues and three hundred varas in length, and one league and three hundred varas in width. Reference for further description to be had to a map, which is made a part of document marked 'A,' and filed with the papers in this case.

"ALPHEUS FELCH,
THOMPSON CAMPBELL,
R. AUG. THOMPSON,
Commissioners.

"Filed in office, October 12th, 1853.

"GEO. FISHER,
"Secretary."

That thereafter, to wit, on the 22d day of August, A. D. 1854, a duly certified transcript of the said decree and proceedings, and the

papers and evidence on which it was founded, in said cause, was filed in the office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 492, reference to which it is prayed may be had, and made a part of this petition.

That on the 13th day of July, A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of said final decree and proceedings of said Commissioners, in said cause (No. 492), and the papers and evidence on which said decree was founded.

That thereafter, to wit, on the 5th day of December, A. D. 1854, the said Attorney-General of the United States filed, or caused to be filed on behalf of the United States, a notice with the said Clerk of the said District Court for the Southern District of California, that the appeal in said cause of Raymundo Carrillo *v.* The United States, from the decision of the said Commissioners to ascertain and settle the private land claims in the State of California, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States.

Your petitioner further represents that the said land, claimed as aforesaid, is within the jurisdiction of this Honorable Court.

And your petitioner further represents, and insists, that the said decree of said Commissioners is erroneous, and ought to be reviewed, reversed, and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of said cause, now on appeal from said Commissioners to this Honorable Court.

And your petitioner further represents that the said claim is invalid, and the said decree erroneous on the following grounds.

1. That the said Raymundo Carrillo shows no valid title to the said land, claimed by him as aforesaid; and it is denied that he has any.

2. That the said alleged grants of Governor Micheltorena, and Pio Pico, were made in violation of the 4th Article of the Colonization law of Mexico, of the 18th of August, A. D. 1824, in this, that the land granted as alleged by claimant was, and is within ten leagues of the sea-coast; and there is no evidence by claimant that the Supreme General Executive power of Mexico previously approved of the colonization of the lands of California, within ten leagues of the coast. And it is denied that such previous consent of said Supreme General Executive power of Mexico in such case was ever had.

3. That at the date of the said alleged grants, the said land, claimed as aforesaid, was occupied by the Missions of California, and particularly by the Mission of Santa Inez.

4. That the said alleged grants have not the conditions required by and are not made in entire conformity with the law of Mexico of the 18th of August, A. D. 1824, and the regulations for the colonization of the territories of Mexico, of the 21st of Novembor, A. D. 1828.

5. That the description of the land, in the alleged grant of Governor Micheltorena to Raymundo Carrillo, of the date of the 27th of April, A. D. 1843, is vague and uncertain; that there is no evidence that the map purporting to be a copy of the original map belonging to the original petition of the claimant to said Governor Micheltorena, asking for said land, is a true copy of said map. And it is denied that it is a true copy of said original map; that said grant is not upon the lawful stamped paper.

6. That there is no evidence that Raymundo Carrillo built a house on said land within a year from the date of said grant, and that he occupied it as required by the second condition of said grant; and it is denied that he built a house, and that it was occupied as required by said grant; there is no evidence that he ever cultivated said tract of land; and it is denied that he ever cultivated the said land, claimed as aforesaid.

7. That the description of the land in the alleged grant of Governor Pio Pico to claimant of the date of the 1st of September, A.D. 1845, is vague, indefinite and uncertain; that the map of the land referred to in said grant, is not shown by said claimant; that the said grant is upon common paper and not stamped paper as required by law.

8. That there is no evidence that the said alleged grantee built a house on the said land, within a year from the date of the said grant of said Pico, and that he occupied it, and that he cultivated the said land. And it is denied that he ever built a house on said land within one year from the date of said grant of Pico, and that it was occupied by him, and that he cultivated the said land.

9. That the alleged act of judicial possession and measurement, of the date of the 2d of November, A. D. 1845, by Nicholas A. Den, was not given and made according to the ordinance or law; that it was not given and made according to the alleged grant of Governor Pico, and the original map of the said land belonging to the original expediente; that the survey or measurement of said land, by said Nicholas A. Den, is vague, indefinite and uncertain; that there is no evidence that the said Nicholas A. Den was, on the 2d of November, A.D. 1845, First Alcalde of Santa Barbara, with lawful authority to give judicial possession of said tract of land. And it is denied that he was such Alcalde, and that he had lawful authority to give judicial possession of the said land claimed as aforesaid.

And no proof having been made by said claimant, of the allegations of his said petition, or in support of his said claim filed as aforesaid, no decree ought to have been or grounded thereon, but the said petition ought to have been dismissed and said claim rejected by said Commissioners upon the grounds aforesaid.

Wherefore the said Pacificus Ord, Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises and the laws and statutes

in such case made and provided, prays that the said Raymundo Carrillo, or his Attorney, may be served with a copy of this petition, and that this Honorable Court will review the said decision or final decree of confirmation of said Commissioners to ascertain and settle the private land claims in the State of California, and decide on the validity of the said claim of said Raymundo Carrillo, for said land claimed and confirmed as aforesaid, and that the same may be decreed invalid, and all such other orders, judgments, or decrees as may be just, with costs and general relief.

P. ORD,
Attorney of the U. S. for the Southern Dist. of Cala.

Filed Dec. 21st, 1854.

C. E. CARR,
Clerk.

Answer.

UNITED STATES
v.
RAYMUNDO CARRILLO. } No. 29.

In the United States District Court for the Southern District of California.

To the Honorable Isaac S. K. Ogier, District Judge of the United States, within and for the Southern District of California.

The answer of Raymundo Carrillo, a citizen of the United States, to the petition of the United States, plea against him in the above cause, respectfully showeth, that on the 27th April, 1843, Manuel Micheltorena, Governor of the Department of the Californias, in virtue of authority in him vested, made, executed, and delivered to him, a good and valid grant in fee of the hereinafter described premises, and that subsequently, to wit, on the 1st September, 1845, Pio Pico, Governor pro tem. of the Department of the Californias, by virtue of authority in him vested, made, executed and delivered, after having obtained the approbation of the Departmental Assembly thereupon, on the 29th August following, a definitively valid grant in fee of a tract of land, situated in the present County of Santa Barbara, in said Southern District, and in the jurisdiction of this Honorable Court, known by the name of "*Nojoque*," containing about three square leagues more or less, and more particularly described in said grant and the map referred to therein, and the judicial possession thereof, as is fully shown by the certified transcript referred to in said petition of plaintiffs, to which said transcript particular reference is hereunto made as a part of this answer.

This defendant further showeth, that he has fully complied with all the conditions of his said grant incumbent upon him; that on the 2d November, 1845, a juridical survey and admeasurement of the above-granted premises was had by competent authority, and judicial

possession thereof delivered to plaintiff, after the metes and bounds thereof had been accurately ascertained and established. This defendant further shows, that on the 13th December, 1852, he presented his claim to said land, with suitable proof, to the Commissioners appointed in pursuance of an Act of Congress, entitled "An Act to ascertain and settle the private land claims in the State of California," approved 3d March, 1851, while sitting as a Board, and thus afterwards, to wit, on October 12th, 1853, the said Commissioners proceeded to decide upon the validity of the said claim, and confirmed the same by final decree.

And this defendant further answering says, that he denies each and every allegation contained in plaintiff's petition, except those herein admitted; and he avers that there is nothing, either in law or fact, in said petition contained, by reason of which the said final decree of the said Commissioners should be annulled.

This defendant avers, that according to law his said claim is good. Whereupon, he prays to be hence dismissed with costs, and for further and general relief. And as in duty bound, &c.

J. LANCASTER BRENT,
Attorney for Deft.

Filed March 26th, 1855.

C. E. CARR,
Clerk.

In the United States District Court for the Southern District of California.

UNITED STATES
v.
RAYMUNDO CARRILLO. } No. 29.

And now comes the defendant, and moves the Hon. Court for an order to take further testimony and evidence.

J. LANCASTER BRENT,
Attorney for Deft.

Filed April 12th, 1855.

C. E. CARR.

Decree.

District Court of the United States for the Southern District of California.

THE UNITED STATES, Appellants,
v.
RAYMUNDO CARRILLO, Appellee. } No. 29.

For "Nojoque."

This cause coming on to be heard at a special term of this Court, on appeal from the final decision of the Commissioners to ascertain

and settle private land claims in the State of California, under the Act of Congress, approved March 3d, 1851, upon the transcript of the decision and proceedings, and the papers and evidence on which said decision was founded; and it appearing that said transcript has been duly filed according to law, and counsel for the respective parties having been heard, it is ordered, adjudged, and decreed, that the decision of the Commissioners be affirmed, and that the claim of the said Raymundo Carrillo to the land described in the grant is a good and valid claim; and it is ordered, adjudged, and decreed, that the same be and is hereby confirmed. The land of which confirmation is hereby made is within the boundaries described in the grant and map, to wit, on the west by the Mission Santa Ines, on the south by the Sierra Grande, on the east by the Arroyo de Guijote, and on the west by the lands of Miguel Cordero, to the extent of three square leagues, provided said quantity of three square leagues be contained within said boundaries; but if there be a less quantity than three square leagues, then the claim of appellee to said less quantity is hereby confirmed.

ISAAC S. K. OGIER,
United States District Judge for the Southern District of California.

Filed Oct. 3d, 1855.
(Signed) C. E. CARR,
Clerk.

Order of Appeal.

In the United States District Court for the Southern District of California.

Special Term, Los Angeles, Sept. 1855.

RAYMUNDO CARRILLO, Appellee,
ads.
THE UNITED STATES, Appellant.
} No. 29. Transcript No. 492.

On motion of P. Ord, Attorney of the United States for the Southern District of California, it is ordered by the Court, that an appeal be granted the United States to the Supreme Court of the United States from the judgment of this Court against the United States, in the above-entitled cause, rendered on or about the 3d day of October, A. D. 1855.

(Signed) P. ORD,
U. S. District Attorney.

Filed, October 18th, 1855.
(Signed) C. E. CARR,
Clerk.

United States District Court, Southern District of California.

Clerk's Office, Los Angeles.

I, Charles E. Carr, Clerk of the District Court of the United States for the Southern District of California, do hereby certify the foregoing 11 pages, numbered from 1 to 11, both inclusive, to contain a true, correct, and full transcript of the record of the proceedings and of the decision of the said Court, of the documentary evidence, and of testimony of witnesses, upon which the same is founded, on file in this office, in Case No. 29 on the docket of the said Court, wherein Raymundo Carrillo is appellee and the United States are appellants, for "Nojoque."

In testimony whereof I have hereunto set my hand and affixed the [SEAL.] seal of said Court, at Los Angeles, California, this 20th day of December, A. D. 1855, and of the Independence of the United States of America the eightieth.

C. E. CARR,
Clerk.